The Humble Repreſentation of the COMMONS of *Ireland*, againſt the Proceedings of the late Truſtees for the Forfeited Eſtates in that Kingdom.

To the QUEEN's Moſt Excellent Majeſty.

YOur Majeſty's Dutiful and Loyal Subjects, the Commons of *Ireland*, beg leave to lay before your Majeſty, this their humble Repreſentation, wherein are contain'd ſome of many Inſtances of the heavy Preſſures your Loyal Subjects have for ſeveral Years paſt, and ſtill do, groan under; occaſion'd by, and owing to, the inſincere and oppreſſive Actings of the late Truſtees, appointed for the Sale of the forfeited Eſtates within this Kingdom: And altho they cannot but with Deteſtation reflect on the unneceſſary and unwarrantable Severities, by the Truſtees, us'd towards the Proteſtants of this Kingdom, (when at the ſame time the Papiſts found Favour from them) and the vaſt Expence they were put to, in defending their Eſtates, during the Continuance of that Commiſſion; yet they choſe to paſs over thoſe, and other paſt Misfortunes this Kingdom hath ſuffered by their means, and fly to your Majeſty for Relief againſt growing Evils, and farther Miſchiefs, which will fall upon it, unleſs your Majeſty ſhall graciouſly interpoſe in their Favour.

Your moſt gracious Majeſty may be pleaſed to be inform'd, That by an Act paſs'd in *England*, entitled, *An Act for advancing the Sale of the forfeited Eſtates and Intereſts in* Ireland, *&c.* the ſaid Truſtees were requir'd, within 30 Days after the 24th of *June*, 1703. to deliver to the Commiſſioners of your Majeſty's Revenue in *Ireland*, all Deeds, Writings, Inſtruments, Securities, Records, Books, Accounts, and Papers, any way concerning the forfeited Eſtates; And that the Commiſſioners of your Majeſty's Revenue are, by the ſaid Act, requir'd to levy and collect all Rents, Profits and Arrearages of the ſaid forfeited Eſtates, in your Majeſty's Name, and to cauſe all Money ariſing thereby (the neceſſary Charges of levying and ſuing for the ſame excepted) to be paid into the Exchequer of *Ireland*, to be applied to ſuch Uſes, as the Parliament of *England* ſhall direct.

That the Truſtees, in Obedience to the ſaid Act, deliver'd to the Commiſſioners of your Majeſty's Revenue, ſeveral Papers, and among others the following Papers; *viz.*

A Liſt of Arrears.
A Liſt of Debts due by Judgment.
A Liſt of Lands ſold, and the firſt Payment not made.

That by their Paper, entitled, *A Liſt of Arrears*, ſeveral Perſons are return'd to owe Rent for Lands, of which they never were Tenants, nor ever contracted for, or were poſſeſs'd of; and in ſome Caſes there is no ſuch Land as the Return mentions.

That others are return'd by them (and theſe to a great Number) to owe Rent, who, on ſtating Accounts, and having juſt Allowances made to them, have appear'd to owe little or no part of the Arrearages return'd, and always were ready to pay the Ballance due, having thoſe Allowances made them, to which they are entitled by Law, for Quit-Rent, Crown-Rent, *&c.*

That in other Caſes, the Tenants return'd in Arrear, have Receipts under the Hands of the Truſtees Receivers, for the Mony with which they are charg'd by thoſe Returns; particularly *Maurice Anneſly*, Eſq; one of their Receivers and Favourites, receiv'd the Sum of 461 *l.* 5 *s.* 7 *d.* and gave Receipts for the ſame, yet the ſaid Sum is by the Truſtees return'd as an Arrearage on the ſaid Tenants, and they ſu'd for it.

That the ſaid Receipts being ſhewn to the ſaid *Maurice Anneſly*, were by him own'd to be his Hand-writing, and acknowledg'd the Receipt of the ſeveral Sums for which the ſame were given; and averr'd, That he had accounted with the Truſtees for every the ſaid Sums, but could not prove the ſame, the ſaid Truſtees (as he alledges) having carry'd with them into *England* all his Books of Accounts, of which he has no Copies.

That the ſaid *Maurice Anneſly* entred into Bond, with Security, for accounting to the Truſtees, as all other Receivers did, but that the ſaid Truſtees have embezzled, or carry'd with them into *England*, the ſaid *Maurice Anneſly*'s Bond, not having deliver'd over the ſame to the Commiſſioners of the Revenue, as in other Caſes, purſuant to the Act of Parliament.

That *Gregory Nolan*, an *Iriſh* Papiſt, another of the Receivers to the Truſtees, is by them return'd in Arrear to the Commiſſioners of the Revenue the Sum of 1121 *l.* 3 *s.* 8 *d.* which Debt the ſaid *Nolan* denies, and no Bond or other Paper, whereby to charge him, left by the Truſtees with the Commiſſioners of the Revenue.

That

That *Roger Sheil*, *Thomas Bomford*, and *Hercules Courtny*, three of the Receivers of the Truſtees, are by them return'd to the Commiſſioners of the Revenue, to owe 4420 *l.* 3 *s.* 2 *d.* who, by Order of the Chancellor, Cheif Barron, and other Barrons of the Exchequer, impowered by Act of Parliament in *England* to ſtate their Accounts, are wholly diſcharged, not one Penny appearing due from them, or any of them.

That ſeveral other Receivers are return'd, as owing great Sums; who, upon full hearing, have appear'd to owe very little, and which they were ready to have paid to the Truſtees, or their Order, having juſt Allowances.

That ſeveral Tenants, return'd in Arrear by the Truſtees, have produc'd to the Commiſſioners of Your Majeſty's Revenue, ſeveral Orders of the ſaid Truſtees, whereby the Tenants, mentioned in ſuch Orders, were diſcharg'd from all, others from part of the Arrears ſo returned on them.

That *Thomas Webb* was by the Truſtees return'd in Arrear to the Commiſſioners of the Revenue, the Sum of 32 *l.* 19 *s.* 11 *d.* $\frac{3}{4}$. For which Sum he was proſecuted in the Court of Exchequer, and diſcharg'd by the ſaid Court, on producing a Receipt under the Hand of *William Trenchard*, Secretary to the Truſtees.

That ſome Debts, by Judgment return'd by the Truſtees, were, to their Knowledge, enter'd into for Performance of Covenants only; none of which appear'd to be broken; others, on Examination before themſelves, appear'd to have been paid; ſome had been by Decrees of the Court of Exchequer diſcharg'd; and others being for great Penalties, were Counter-Securities only, and defeaſanſed for Performance of Covenants, not broken for any thing appearing; the Commiſors of ſeveral of the ſaid Judgments having obtain'd Decrees in Equity in their Favour, abſolutely diſcharging them thereof before the Truſtees landed in this Kingdom, of which Proceedings they cou'd not but have notice.

That the Sums return'd by the Truſtees to be due, amount in the whole to 112569 *l.* 4 *s.* 6 *d.* $\frac{1}{2}$. and that more than 300 Informations or Suits have been brought into Your Majeſty's Court of Exchequer, for the Recovery thereof, to the very great Vexation, Expence, and Oppreſſion of your Subjects. Yet after ſeveral Years Proſecution, ſo much Money has not appear'd to be due of the great Sum return'd, as hath defray'd the Expence of theſe Proſecutions, altho the ſaid Truſtees have, in ſeveral Inſtances, ſold, and been twice paid for the ſame Lands; and in other Caſes, have ſold Lands to which they never had Title, nor were ever in Poſſeſſion of, and have not given Allowance to the Purchaſers for Incumbrances by them decreed, to the great Oppreſſion of the Purchaſers, and of the Perſons whoſe Lands were ſo ſold by the ſaid Truſtees; and what has been recovered, would have been paid without Expence or Suit, if the Perſon return'd to owe the ſame, could have been diſcharg'd on Payment of what was unjuſtly return'd, to be from them due over and above what was truly due to Your Majeſty; which, with humble Submiſſion, we have leave to acquaint Your Majeſty, ſeems to have been the Effect of a Deſign in the Truſtees, to have procur'd the Continuance of their Commiſſions and Salaries, one Year longer at leaſt.

That the ſaid Truſtees, in Contempt of the ſaid Act of Parliament, have refus'd to leave ſeveral Accounts, Books, and Papers, concerning the ſaid forfeited Eſtates, with Your Majeſty's Commiſſioners of the Revenue, particularly their Book of Orders, and other Papers and Entries minuted by their Secretary; whereby (as we conceive) a great part of the Sums by them return'd, as a Debt due to the Publick, would plainly appear to have been none; by which means Your Majeſty's Subjects have been unneceſſarily and unjuſtly put to great Expence, in making Proof that Money was paid by Order of the Truſtees, altho the Receipts of the Perſons to whom ſuch Money was paid, were produc'd, for want of the Original Order given by them, and remaining in their Book of Orders.

We do not preſume to trouble Your Majeſty with more Particulars, than what may evince the Neceſſity of this our humble Application, nor would the Shortneſs of Time (conſidering what Buſineſs of another Nature we were oblig'd to go through) allow our making a full and ample Repreſentation of thoſe many Hardſhips which Your Subjects of this Kingdom have labour'd under, by means of the Truſtees, which may yet more fully and particularly appear, by a State thereof, tranſmitted herewith by the Commiſſioners of Your Majeſty's Revenue.

Your moſt Dutiful and Loyal Subjects fly to Your Majeſty for Succour, in behalf of an injur'd Kingdom, and humbly implore your Gracious Protection, againſt the longer Continuance of their Preſſures; and that Your Majeſty will be Graciouſly pleaſed, ſo to cauſe their Caſe to be laid before Your Parliament of *Great Britain*, as that Your Subjects of this Kingdom may find ſuch Relief as their Caſe deſerves, and their Condition requires.

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